

REMARKS

Claims 1-18 are currently pending in this application.

Claims 1, 8 and 11 are in independent format.

Claims 1-2, 4-5, 8-14 and 16 have been amended, claim 15 has been cancelled, and new claims 17 and 18 have been added.

In response to the February 14, 2006 telephone conference with the Examiner, the Applicant is filing this amendment concurrently with the Request For Continued Examination. Before discussing the Office Action of December 9, 2005, Applicant first would like to express his appreciation to the Examiner for the courtesy of the telephone interview held on January 9, 2005, and for the opportunity to explain Applicant's system, to discuss its unique features and to discuss the relevance of the cited art as applied to his invention.

Applicant's claims, as now amended, and in particular his independent claims 1, 8, and 11, are now specifically directed to a covert video surveillance method and system by which real time video imagery, covertly obtained at a remote location, is securely transmitted from the remote site to a monitoring location at which it is displayed for viewing by more than one person. The amendments to Applicant's claims specifically address the rejections made by the Examiner in the current Office Action, as well as the comments made by the Examiner and his Primary in their Interview Summary following the personal interview conducted at the Patent Office in September of 2005.

Rejection of Claim 15 Under 35 U.S.C. § 112

The rejection of claim 15 is moot since claim 15 has now been cancelled.

Rejection of Claims 1-10 Under 35 U.S.C. § 103(a)

The rejections of claims 1, 3, 5, 7-9, 11, 12-14 and 16 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent Application 2002/0057365 ("the Brown reference") is respectfully traversed. With respect to claims 1, 8 and 11, the Examiner submits that the Brown reference teaches a method and system of providing remote wireless video surveillance of a location. According to the Examiner, it is well known in the art to convert an analog video stream to a digital stream in order to allow a processor to manipulate the video stream (Official Notice). The Examiner further submits that the Brown reference teaches the converting of the video into TCP/IP packets wherein the transmissions are made secure by using encoding techniques (Paragraph [0014]). Thus, according to the Examiner, It would have been obvious to one of ordinary skill in the art at the time of the invention that the encoded TCP/IP packets would be a secure IP format.

Applicant respectfully disagrees. Applicant notes that the Brown reference merely teaches a hand held two-way radio frequency transceiver or ultra wide band communication system. The system, as taught by Brown, permits the sending and receiving of audio and/or video signals between the hand held

device and another device. The video information may be transmitted as a TCP/IP packet. Brown, therefore, teaches a public transmission, not a covert communications system and method, as Applicant's claims now require.

TCP/IP packets, as taught by Brown, are not inherently secure. This is why Applicant's system, as set forth in these claims, specifically requires that the packets be encrypted or converted into a secure pre-selected IP protocol format.

The Examiner submits that the streams of data the Brown reference are transmitted from the remote unit to a command control center through an RF transmitter. It is well known in the art that RF transmissions include microwave transmissions (Official Notice).

Again applicant disagrees with the Examiner's contention. Rather, an RF transmitter should be presumed to be analog. The present system, as noted in the amended claims, requires a signal compression chip to convert the analog signals and packetizing the digital electrical signals into a secure pre-selected IP protocol format.

Accordingly, Applicant's amended claims 1, 8 and 11 should be allowable over this art.

With respect to claims 2 and 7, the Examiner submits that the Brown reference teaches the transmission of the video signal through a secured communication network to a network operating center; while further suggesting an alternative method of using the Internet. According to the Examiner, it would have been obvious that the first network of Brown would be a private intranet

network and the second method would be an Internet network, as suggested by Brown.

In contrast to this assertion, Applicant's method and system does not use the public Internet to transmit signals. Rather, as set forth in his amended claims, Applicant's system is specific as to the use of a pre-selected IP protocol via direct IP protocol microwave transmissions.

With respect to claim 5, the Examiner submits that the Brown reference further teaches a network of the camera units and the selection means based on motion detection. Applicant's amended claim 5 does not require motion detection, but rather is directed at the use of additional cameras at the remote location and selecting between video data generated by the fixed covert imaging means.

With respect to claim 9, the Examiner submits that the Brown reference teaches the use of encoding techniques for securing the transmission. According to the Examiner, it is well known in the art to buffer the signal in order to prevent lost data while encoding (Official Notice). Applicant's claim 9 does not require any buffering; and, in fact, the use of buffering would impose latency on the video imagery that would not permit real time video transmission of acquired images.

With respect to claims 13 and 16, the Examiner submits that the Brown reference teaches the device of Figure 1 of the present system while containing an LCD for displaying video from other devices. According to the Examiner, though Brown does not specifically teach the use of a codec, it would have been obvious to one of ordinary skill in the art at the time of the invention that the

device of Brown includes a codec in order to securely encode video for transmission and decode incoming video for display on the LCD (Official Notice).

Contrary to the Examiner's assertion, Applicant's system uses video acquisition sites that are covert and concealed. An LCD screen is not used at the remote site where imaging is acquired because, if for no other reason, the LCD screen would give the imaging means location away. The present system displays video either on a computer or stand-alone video display.

In addition to the above arguments, dependent claims, by their nature, include all of the limitations of the parent independent claim and any intervening claims from which they depend. The above identified dependant claims and claims 3, 4, 6, 10, 12, 14, and the newly added claims 17 and 18 each depend either directly or indirectly from independent claims 1, 8 and 11; and accordingly, are believed allowable under 35 U.S.C. § 103 (a) over the Brown reference for the same reasons previously discussed with respect to these independent claims 1, 8 and 11.

Applicant submits that the prior art of record and not relied upon, has been studied by Applicant, but is not considered to be as pertinent as the art discussed above.

Applicant is filing concurrently with this response a supplemental IDS that lists the references provided by the European Patent Office for a corresponding European patent application. The Cited references from the EPO Examiner - WO 99/12349 ("the Hendrix reference"), WO 01/26280 ("the Lee reference"),

Article: Fazel K. et al. "Concept Of a ..." - again are not as pertinent to Applicant's invention as the art discussed above.

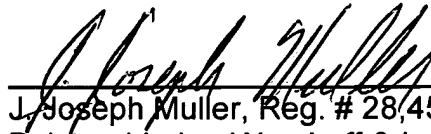
The Hendrix reference teaches an apparatus for communicating multiple live video feeds over the Internet. This apparatus relates to remote accessing a class lecture wherein the participants can ask questions and receive answers. As such, the Hendrix reference does not teach the covert imaging means that transmits secured data.

The Lee reference teaches a security system using a mobile communication network. The Lee reference teaches that security personnel use a personal digital assistant or cellular phone to receive images of a designated area from a central server. The Lee reference does not teach any coded or secured data transmission.

The Fazel article teaches a wireless indoor video communications system comprising a home-based system that receives different kinds of data from different and external networks. The radio link operating in the 2.4/5.8 Ghz band is considered the transmission medium. The general concept is based on decentralized/distributed topology. Each user communicates with other users independently, i.e. without any base system. A cluster of the network is allowed only one or two channels, where a cluster represents a house or an apartment made up of several terminals. The access to the network is random; every user has its specific address within the frame consisting of several time slots. If two users want to simultaneously reserve the same initial timeslots, a priority has to be given to the first user.

Again, Applicant wishes to express his appreciation for the telephone interview on February 14, 2006 and on January 9, 2005 in which the amended claims were agreed upon as allowable over the cited references. Based upon the foregoing, allowance of claims 1-18 is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Joseph Muller", is written over a horizontal line.

J. Joseph Muller, Reg. # 28,450
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, Missouri 63131
Tel: (314) 238-2400